



Town of Clifton Park

ENVIRONMENTAL CONSERVATION COMMISSION

Protecting today's environment for the next generation...



TOWN SUPERVISOR:

Philip C. Barrett

ECC CHAIR:

Brian Glick

ECC ATTORNEY:

Joel Peller

STORMWATER MANAGEMENT TECHNICIAN:

Scott Reese

TOWN LIAISON:

Sanford Roth

MEMBERS:

Raoul Desy

Brian Glick

Dan Mathias

Karl Siverling

Howard Vipler

Chuck Bassett

Peter Lanahan

Lawrence Kelley

Fred Barthmeier

MINUTES: **Tuesday, September 1, 2015**

CALL TO ORDER: Brian Glick, Chairman, called the meeting to order at 7:00 PM in Town Hall

PRESENT: Brian Glick, Scott Reese, Raoul Desy, Howard Vipler, Sandy Roth, Dan Mathias, Peter Lanahan, Lawrence Kelley, Chuck Bassett, Fred Barthmeier

ABSENT: Karl Siverling

GUESTS: Majda Skrlj Volk spoke on invasive species.

ANNOUNCEMENTS:

- Next meeting: **Tuesday, September 15, 2015** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
 - o Scott Reese reviewed the previous Planning Board meeting.
- ZBA – 3 projects received – 1 for review Grissom Drive

Zoning Projects for Environmental Review

Variance # 81046 Grissom Drive 288.8-3-20

Owner wished to build a home on a “unbuildable” lot as declared by the County. Stream and Stream buffer encompass entire lot.

The plan was presented as follows:

1. The EAF will need to modify to indicate that it is within an archeological sensitive zone, and contain water bodies regulated by federal, state or local agency.

Recommendations:

- 1. The ECC recommends the rejection of this application and agrees that this is not a buildable lot. The stream cuts through the lot with a 50' LC buffer on each side.**

A **motion** to adopt this recommendation was made Chuck Bassett seconded by Fred Barthmeier; all in favor, none opposed.

Public Hearings -

2015-030 Hilderley - (2) Family Residence

Proposed demolition of existing residence and construction of a (2) family residence with septic systems and public water. , 283 Sugar Hill Rd, Zoned: R-1, Status: Conceptual site plan and special use permit review.

SBL: 276.19-1-17

To be reviewed by: N/A Consultant: GVG Applicant: Hilderley

The plan was presented as follows:

1. Demolition of existing structure, abandonment of existing dug well and connect to public water supply. Abandonment of existing septic field and install individual septic systems.
2. New "twin" 2 story house to be built in place.
3. Applicant has chosen that the project action only involves the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation.
4. Historic Preservation Commission recommends to renovate the existing structure.

Recommendations on 6/16/15:

1. The ECC recommends that the Planning Board require the Applicant to conduct soil testing for contaminants because the property has been abandoned for an extended period of time, and the intended use may result in exposure of occupants or visitors to chemical associated with potential health risks.

Recommendations:

- 1. Since the place was historically used as a blacksmith shop, the ECC recommends that the Planning Board require the Applicant to conduct soil testing for contaminants because the property has been abandoned for an extended period of time, and the intended use may result in exposure of occupants or visitors to chemical associated with potential health risks.**

A **motion** to adopt this recommendation was made Dan Mathias seconded by Peter Lanahan; all in favor, none opposed.

2015-040 Subdivision of Lands of Murdza

Proposing to subdivide the existing 2.00± acre parcel into 3 single family building lots. Lot A will be the existing house and Lots B and C will be new single family homes that will be serviced by public water and public sewer. All area requirements will be met and smallest lot size will be

20,000± square feet. A front yard area variance was granted from 50' to a 30' building line.
269 Lapp Road, Zoned: R-1, Status: xxx. SBL: 278.-1-18

To be reviewed by: MJE Consultant: VanGuilder Land Surveyor, PLLC Applicant:
Steve Murdza

ECC Recommendations on 8/4/15:

1. The ECC recommends that the applicant explore the possibility to eliminate the existing driveway curb-cut onto Lapp Road for the existing dwelling to remain and only utilize driveway ingress/egress onto Frankie Lane.
2. The ECC recommends the utilization of split rail fence sections to visual delineate the wetland boundaries within each parcel.

Recommendations: ECC has no further comment at this time.

A **motion** to adopt this recommendation was made Dan Mathias seconded by Howard Vipler; all in favor, none opposed.

2015-035 Kramer (2) Family Residence

Proposed (2) family dwelling per Section 208-16D(3)(a)[8] of Town Code, Mac Elroy Rd, Zoned: R-1, Status: Preliminary public hearing and special use permit review with possible determination. SBL: 258.-2-4

The plan was presented as follows:

1. This project is by the location where the land owner was placing fill along the Cooley Kill along Mac Elroy Road. The letter from the Town of Clifton Park may have “triggered” the application to be filed by the property owner.
2. The project site is in a R1 zone not a CR zone.
3. The Cooley Kill runs through this site a NYSDEC impaired waterbody.
4. The project is in an archaeological sensitive area. The project has wetlands on the site.

ECC Recommendations on 7/7/15:

1. The ECC recommends delineating the wetlands and stream including the LC Zone using shading on the plan and confirm that the project will not impact said wetlands.
2. The ECC notes that the project is in an R-1 zone where two family homes are not an allowed use.
3. The applicant has been filling an area very close to the LC`zone along the Cooley Kill. The ECC would like to be assured by the applicant that the filling activity stays out of the LC Zone.

Recommendations:

1. **The ECC notes that the Saratoga County maps indicate the presense of significant wetlands on the project site. ECC recommends the applicant to delineate all wetlands and label each jurisdiction. The limits of (the LC Zone and 50 foot buffer**

zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.

- 2. The ECC notes that the project may result in intrusion into the LC Zone. The applicant must file for an Application for Approval of Work To Be Done in the LC Zone with the Town of Clifton Park.**
- 3. The wetlands shall be delineated by a qualified professional in the field of delineating wetlands, including any previously filled wetlands.**

A **motion** to adopt this recommendation was made Howard Vipler seconded by Raoul Desy, all in favor, none opposed.

2015-033 Casale, Lands of

Proposed (3) lot commercial subdivision with municipal sewer and water, 1747 Rt 9, Zoned: B-4A, Status: Conceptual subdivision review. SBL: 272.1-2-7.2

To be reviewed by: MJE Consultant: Lansing Applicant: Casco

The plan was presented as follows:

1. Proposed subdivision for the LaQuinta Inn & Suites – see below.

Planning Board

Old Business

2015-034 LaQuinta Inn & Suites

Proposed 4-story (104) room hotel on one lot to be subdivided as project [2015-033]., 1747 Rt 9, Zoned: B-4A, Status: Conceptual site plan review. SBL: 272.1-2-8.1

To be reviewed by: MJE Consultant: Lansing Applicant: Casco

The plan was presented as follows:

1. The project was previously Casale, Tony – 1751-1747 US Route 9. There were no outstanding issues with the ECC when the project had its public hearing on September 14, 2011.
2. The project is located within the NYS Heritage Areas: Mohawk Valley Heritage Corridor. The project is located above a Primary Aquifer / Principal Aquifer.

ECC Recommendations on 7/7/15:

1. The ECC recommends showing where the proposed green space is located using color shading and confirm that the required greenspace requirement is met for each individual lot within the Town of Clifton Park. It appears that lot 1 may not meet the required amount of green space.

Recommendations:

- 1. The ECC notes that the retaining wall is 20 feet in height in some places. The applicant should show an engineering evaluation of the proposed retaining walls and slopes to assure the stability.**

A **motion** to adopt this recommendation was made Raoul Desy seconded by Lawrence Kelley; all in favor, none opposed.

2015-019 Clifton Park Plaza Redevelopment

Proposed demolition and redevelopment of existing shopping plaza and adjacent restaurant parcel. Plaza to include 54,286 sf grocery, 11,115 sf retail/pharmacy, and 10,000 sf retail and bank with drive-thru , 1018/1028 Rt 146, Zoned: 5, Status: PB Concept Review, SBL: 271.-1-7.1
To be reviewed by: MJE Consultant: Applicant:

The plan was presented as follows:

1. Project will discharge directly to the Dwaas Kill. Project shall follow all pollution prevention measures for a 303(d) protected stream as per the NYSDEC General Permit GP-0-15-002.
2. Project is over a Primary and Principal Aquifer.
3. Wetlands border the Dwaas Kill

ECC Recommendations on 4/21/15

1. The ECC notes the applicant proposes reduction of green space where the current green space is already below the requirements. The Applicant should maintain a minimum 35% greenspace in accordance with B-3 Space and bulk standards (208-38, G) calculated for the entire project.
2. The ECC notes that the project includes extensive paving adjacent to, or in the vicinity of the Dwaas Kill. The ECC recommends that the Planning Board require the Applicant to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into these sensitive environments.
3. The ECC notes that sensitive environments exist on properties adjacent to the project site, thus there is a potential for environmental impacts to these areas in the event that the capacity of the stormwater management system is inadequate. As such the Applicant's Drainage, Stormwater and Erosion Control Plans should be protective of these environments, during construction and occupation of the project. The ECC recommends careful review of these plans by the Town Engineer.
4. The stormwater system should be sufficient to handle the combined stormwater runoff projected for the final development configuration.

Recommendations:

1. **The ECC notes the applicant proposes reduction of green space where the current green space is already below the requirements. The Applicant should maintain a minimum 35% greenspace in accordance with B-3 Space and bulk standards (208-38, G) calculated for the entire project.**
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4. **The stormwater system should be sufficient to handle the combined stormwater runoff projected for the final development configuration.**
5. **ECC recommends that traffic flow on and off site be evaluated for potential traffic conflicts and safety for future development.**
6. **Applicant shall refer to Article X Land Conservation Districts L-C 208-69 B.**

A **motion** to adopt this recommendation was made Dan Mathias seconded by Chuck Bassett; all in favor, none opposed.

Lawrence Kelley recused himself.

2015-039 Levy Subdivision

Proposing to construct a 12 great lot (24 single family units) subdivision. Proposing a cul-de-sac extending from Vista Court as well as three lots (6 units) along Tanner Road. Route 146 7 Vista Court, Zoned: CR, Status: xxx. SBL: 270-2-3.2

To be reviewed by: MJE Consultant: EDP Applicant: Jack Levy

ECC Recommendations on 8/4/15:

1. The ECC has concerns of the applicant's use of density relative to the permitted Conservation Residential Zoning Regulations. The applicant should clarify if the

additional density will be sought through the density incentive request per §208-43 of the Town Code.

2. The project as shown appears to not meet the Town Code requirement of no more than 18 dwelling units with a single means of public egress/ingress.
3. The applicant should provide a resource analysis for the CR Zone.

Recommendations:

1. **The ECC notes that the CR Zoning provides for one family dwelling (a permanent building containing only one dwelling unit). The applicant is proposing to build 22 duplex units on this property. In addition, it is proposed that these units will be built on less acreage than would be required for single family homes. An exception to the Town Code for duplex units and the proposed increased density would establish a precedent that would undermine the intent of the CR Zoning and the ECC recommends that this project be rejected.**
2. **The ECC strongly opposes allowing a density bonus in the CR Zone where it would undermine the principal purpose for establishing the zone. The developer appears not to understand the program because the offered incentive is very low and because the incentive is not available under the rules for this location.**

A **motion** to adopt this recommendation was made Peter Lanahan seconded by Dan Mathias; all in favor, none opposed.

New Business -

2015-042 Village Plaza Mixed Used Development

Proposed mixed use redevelopment with retail on first level and residential above per Town Center zoning, 19 Clifton Country Rd, Zoned: TC5, Status: Possible referral to TAC for Development Design Review

SBL: 272.-1-44 To be reviewed by: MJE Consultant: ABD Applicant: Windsor

Recommendations:

The ECC has no further comments at this time.

A **motion** to adopt this recommendation was made Lawrence Kelley seconded by Raoul Desy; all in favor, none opposed.

2015-043 Park Avenue Mixed Use

Proposed redevelopment of vacant K-Mart building to construct a mixed use (4) story commercial/residential building, Park Ave, Zoned: TC5, Status: Possible referral to TAC for Development Design Review SBL: 271.-3-81

Recommendations:

- 1. The ECC notes that the proposed project is proposing a greater density that what the area is zoned for therefore further comments will be given when a variance or PUD is submitted.**

A **motion** to adopt this recommendation was made Dan Mathias seconded by Fred Barthmeier; all in favor, none opposed.

Discussion Items

None

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The meeting was adjourned at 10:00 PM.



Respectfully submitted,
Brian Glick, Chairman

cc: Clifton Park Town Clerk
Planning Director (E-mail copy)
Sanford Roth, Town Liaison (E-mail copy)
Dahn Bull, Director of Communications and Technology (E-mail copy)